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## **South Florida Water Management District**

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### **GOVERNING BOARD MONTHLY MEETING AGENDA**

June 9, 2016

9:00 AM

Lee County Commission Chambers

2120 Main Street

Ft. Myers, FL 33901

**FINAL**

1. Call to Order - Dan O'Keefe, Chairman, Governing Board
2. Pledge of Allegiance - Dan O'Keefe, Chairman, Governing Board
3. Local Region Presentations
  - A) Crew Land & Water Trust - Ben Nelson, Chairman
  - B) Lee County Water Quality / Storage Project Update - Roland Ottolini, Director, Lee County Natural Resources
  - C) Collier County Water Storage and Treatment Initiatives - Tim Nance, Chairman, Collier County Board of County Commission
4. Agenda Revisions - Tia Barnett, Director, Board & Executive Services
5. Abstentions by Board Members from items on the Agenda
6. Project & Lands Committee Report - Clarke Harlow, Chair
7. Water Resources Advisory Commission (WRAC) Report - Jim Moran, Chair
8. Approval of the Minutes

### **Consent Agenda**

9. Public Comment on Consent Agenda
10. Move Consent Agenda Items to Discussion Agenda
11. Board Comment on Consent Agenda
12. Waivers for Water Resource Advisory Commission (WRAC) members pursuant to Section 112.313, Florida Statutes
13. Regulatory Consent Items

**Denials**

- Denial of Application No. 150204-1, submitted by Flagler 57, Inc., for a Water Use Permit for 0.13 acres of landscape irrigation for a project known as Flagler 57 located in Miami-Dade County.

**Summary:**

Staff recommends denial due to applicant's failure to provide the timely requested information needed to complete the application in accordance with Rule 40E-1.603, Florida Administrative Code. On February 25, 2015, a letter was sent requesting additional information needed to complete the application. At the close of that letter, it stated that a response was required within 90 days or the application may be processed for denial, if not withdrawn by the applicant. No response was received. On April 28, 2016, a respond or deny letter was sent, stating that a response is required within 30 days or the application will be recommended for denial at a subsequent Governing Board meeting. No response was received. The denial of an application due to lack of completeness is without prejudice and a new application concerning the same subject may be resubmitted. (Regulation, staff contact, Maria Clemente, ext. 2308)

- Denial of Application No. 150109-18, submitted by Ortegas Aqua Farm, for a Water Use Permit for a 3 acre aquaculture project known as Ortegas Aqua Farm located in Miami-Dade County.

**Summary:**

Staff recommends denial due to applicant's failure to provide the timely requested information needed to complete the application in accordance with Rule 40E-1.603, Florida Administrative Code. On January 27, 2015, a letter was sent requesting additional information needed to complete the application. At the close of that letter, it stated that a response was required within 90 days or the application may be processed for denial, if not withdrawn by the applicant. No response was received. On March 16, 2016, a respond or deny letter was sent, stating that a response is required within 30 days or the application will be recommended for denial at a subsequent Governing Board meeting. No response was received. The denial of an application due to lack of completeness is without prejudice and a new application concerning the same subject may be resubmitted. (Regulation, staff contact, Maria Clemente, ext. 2308)

- Denial of Application No. 150225-10, submitted by Rockland Growers, for a Water Use Permit for 346 acres of agricultural irrigation for a project known as Rockland Growers located in Miami-Dade County.

**Summary:**

Staff recommends denial due to applicant's failure to provide the timely requested

information needed to complete the application in accordance with Rule 40E-1.603, Florida Administrative Code. On July 6, 2015, the last letter requesting additional information needed to complete the application was sent. At the close of that letter, it stated that a response was required within 30 days or the application may be processed for denial, if not withdrawn by the applicant. No response was received. On April 27, 2016, a letter was sent stating that a response is required within 30 days or the application will be recommended for denial at a subsequent Governing Board meeting. No response was received. The denial of an application due to lack of completeness is without prejudice and a new application concerning the same subject may be resubmitted. (Regulation, staff contact, Maria Clemente, ext. 2308)

### **Conservation Easement Amendments and Releases**

- Approve the partial release of a recorded conservation easement for a project known as OCC Lot 3 in Osceola County (Application No. 150147-4, Permit No. 49-00477-S-03).

#### **Summary:**

The property owner, Tupperware Services, Inc., is requesting a release of 5.742 acres of a conservation easement. These parcels were included in a previous release approved by the Governing Board on March 15, 2015. That release included incorrect property description information. This release is requested to correct the error. Mitigation for the release areas was provided under Application No. 150127-4. Approximately 5.98 acres of the conservation easement remain. (Regulation, staff contact, Chuck Walter, ext. 3824)

### **Seminole Tribe Work Plans**

- Concur with the Third Amendment to the Twenty Ninth Annual Work Plan for the Seminole Tribe of Florida. This work plan is the procedural mechanism under which the District addresses water use, surface water management, natural resource management, well construction, and right of way activities the Tribe plans to undertake. This mechanism was established under the 1987 Water Rights Compact among the Seminole Tribe of Florida, the State of Florida and the SFWMD (also see Section 373.200, Florida Statutes).

#### **Summary:**

Under this amended work plan, the following activity is planned in the Hollywood Reservation: a proposal for the expansion of the existing stormwater management system at the Hard Rock and Casino facility as a result of an increase of approximately 4.5 acres of impervious area due to infrastructure improvements. (Everglades Policy & Coordination, staff contact, Armando Ramirez, ext. 6684)

- Concur with the Fourth Amendment to the Twenty Ninth Annual Work Plan for the Seminole Tribe of Florida. This work plan is the procedural mechanism under which the District addresses water use, surface water management, natural resource management, well construction, and right of way activities the Tribe plans to undertake. This mechanism was established under the 1987 Water Rights Compact among the Seminole Tribe of Florida, the State of Florida and the SFWMD (also see Section 373.200, Florida Statutes).

#### **Summary:**

Under this amended work plan, the following activities are planned in the Big Cypress Reservation: a proposal for the construction of the Big Cypress Medical Clinic (total project area is 2.63 acres) and all of its associated facilities. (Everglades Policy &

14. Right of Way Regulatory Consent

**Right of Way Occupancy Permit Modifications**

Staff recommends approval of a request by Cheney Brothers, Inc. (Application Number 15-1203-2) for issuance of a Modification of Right of Way Occupancy Permit Number 10488 for reshaping of the canal maintenance berm within the west right of way of C-17 from Cheney Way extending north approximately 887 feet. The project will help direct runoff away from the canal and into the permittee's internal surface water management system. Location: Palm Beach County, Section 31, Township 42 South, Range 43 East. (Field Operations & Land Management, staff contact, Karen Estock, ext. 6282)

Staff recommends approval of a request by City of Coral Springs (Application Number 16-0329-2M) for issuance of Right of Way Occupancy Permit 8731, modifying the special conditions which authorized construction of a boat ramp and docks within the C-14 canal. Location: Broward County, Section 32, Township 48 South, Range 41 East. (Field Operations & Land Management, staff contact, Karen Estock, ext. 6282)

**Relaxation of Standards As Allowed Under District Rule 40E-6.011(9) F.A.C.**

Staff recommends approval that the Governing Board waive, for future Right of Way Occupancy Permit Applications and existing encroachments, the requirement contained in District Rules which specifies that an unencumbered 40 foot wide strip of right of way, as measured from the top of bank landward, is needed for the District to perform its routine operations and maintenance activities. The area under consideration in this proposed relaxation is a one mile segment of the north right of way of the C-38 Canal paralleling Southwest 144<sup>th</sup> Parkway from Lot 1 through Lot 49, inclusive, River Oak Acres Subdivision. Location: Okeechobee County, Section 19, Township 37 South, Range 40 East. (Field Operations & Land Management, staff contact, Karen Estock, ext. 6282)

Staff recommends approval that the Governing Board waive, for future Right of Way Occupancy Permit Applications, the requirement contained in District Rules which specifies that an unencumbered 40 foot wide strip of right of way, as measured from the top of bank landward, is needed for the District to perform its routine operations and maintenance activities. The area under consideration in this proposed relaxation is located along the north right of way of C-4 Canal beginning at S.W. 102<sup>nd</sup> Avenue continuing westerly to S.W. 107<sup>th</sup> Avenue in Miami-Dade County, Section 5, Township 54 South, Range 40 East, and more specifically includes that portion of the north right of way lying outside or north of the project area for the recently completed C-4 Flood Berm project. (Fields Operation & Land Management, staff contact, Karen Estock, ext. 6282)

15. Resolution No. 2016 - 0601 Approve release of canal and road reservations, and issuance of non-use commitments. (Real Estate, staff contact, Kathy Massey, ext. 6835)

**Summary:**

The District has jurisdiction over certain reserved rights to construct canal and road right of ways, and mineral rights, together with the right of ingress, egress and exploration. Applications requesting releases of these reservations are routinely received from landowners, attorneys, title companies and lending institutions, who consider the reservations to be title defects. Applications are reviewed by appropriate District staff and applicable local governmental agencies to determine that there is no present or future need for the reservations.

**Staff Recommendation:**

(Real Estate, staff contact, Kathy Massey, ext. 6835)

Staff recommends approval of the following:

- Release canal and road reservations, and issue non-use commitment for Hillcrest Country Club, Limited Partnership (File Nos. NUC 1695 and 18679) for 79.66 acres in Broward County
  - Release canal reservations for Marin Ranches Development Ltd. (File No. 5-16-1) for 9.98 acres in Broward County
  - Release canal reservations for Value Store it Doral, LLC (File Nos. 4-16-4 and 18681) for 2.20 acres in Miami-Dade County
  - Issue non-use commitment for Jeffrey S. Galit (File No. NUC 1693) for 5.15 acres in Palm Beach County
  - Issue non-use commitment for U.S. Landvest Corp., Trustee (File No. NUC 1698) for 14.96 acres in Palm Beach County
  - Issue non-use commitment for Jeffrey S. Galit (File No. NUC 1699) for 5.15 acres in Palm Beach County
  - Issue non-use commitment for Patrick J. Ford and Allyson I. Ford (File No. NUC 1700) for 4.79 acres in Palm Beach County
  - Issue non-use commitment for James Mustipher and Joann Mustipher (File No. NUC 1701) for 4.79 acres in Palm Beach County
  - Issue non-use commitment for Lisa J. Castro, Trustee of the Lisa J. Castro Survivor's Trust UTD 12/29/93 (File No. NUC 1702) for 4.79 acres in Palm Beach County
  - Issue non-use commitment for Kevin Costello, Janet Costello, Michael Hollern and Laurie Hollern (File No. NUC 1703) for 4.79 acres in Palm Beach County
  - Issue non-use commitment for Kevin P. Costello and Janet E. Costello (File No. NUC 1704) for 10.46 acres in Palm Beach County
  - Issue non-use commitment for Jeffrey S. Galit (File No. NUC 1706) for 10.00 acres in Palm Beach County
  - Release canal reservations for City of Pembroke Pines (File Nos. 4-16-5 and 18684) for 6.50 acres in Broward County
  - Release canal and road reservations, and issue non-use commitment for City of Pembroke Pines (File Nos. NUC 1705 and 18683) for 27.28 acres in Broward County
  - Release canal reservations for Triple FFF Investments, Inc. (File No. 5-16-2) for 8.42 acres in Miami-Dade County
  - Release canal and road reservations, and issue non-use commitment for Cheney 109, LLC (File Nos. NUC 1697 and 18680) for 10.00 acres in Palm Beach County
  - Release canal reservations for Krome Avenue (Miami) ASLI VIII, LLC (File No. 10-15-1) for 313.68 acres in Miami-Dade County
16. Resolution No. 2016 - 0602 Declare surplus land interests over a portion of Section 28, Township 29 South, Range 30 East, Polk County containing 0.50 acres, more or less, for purposes of granting utility easement interests, and approve offering said easement interest to the public for bid to be sold for the highest price obtainable but not less than the appraised value. (Real Estate, staff contact, Kathy Massey, ext. 6835)

**Summary:**

The Applicant, David Doll, has requested on behalf of the utility, Peace River Electric Cooperative, Inc., that the District grant a utility easement for electric service.

17. Resolution No. 2016 - 0603 Approve the acquisition of a revocable temporary license, at no cost, over a portion of Collier County owned property located in Section 8, Township 48 South, Range 27 East, for the installation and monitoring of a rain gauge and associated telemetry equipment in Collier County, Big Cypress Basin. (Real Estate, staff contact, Marcy Zehnder, ext. 6694)

**Summary:**

This Revocable Temporary License Agreement will allow the District to install and monitor a rain gauge and associated telemetry equipment, together with future routine maintenance and emergency repairs. District staff and Collier County staff have reviewed and agreed upon the location of the equipment.

The District's rights under this license agreement are subordinate and subject to Collier County's right to terminate this license upon sixty days written notice. The potential exists for the District to be required at a future date to remove and/or relocate this proposed rain gauge and associated telemetry equipment. The removal and/or relocation would be at the District's expense. However, this temporary right is all that Collier County is willing to grant for the District's purposes.

18. Resolution No. 2016 - 0604 Authorize the Florida Fish and Wildlife Conservation Commission to establish South Florida Water Management District lands consisting of approximately 833 acres in St. Lucie County as a Public Small Game Hunting Area for the 2016-2017 and future hunting seasons and manage waterfowl, small game, and hog hunting on such lands subject to terms and conditions. (Field Operations & Land Management, staff contact, Karen Estock, ext. 6282)

**Summary:**

The agenda item proposes authorizing the Florida Fish and Wildlife Conservation Commission (Commission) to re-establish the C23/24 Public Small Game Hunting Area, consisting of approximately 883 acres in St. Lucie County, for the purpose of hunting waterfowl, small game, and hogs for the 2016-2017 and future hunting seasons.

The Commission has agreed and is supportive of re-establishing the C23/24 sites as a Public Small Game Hunting Area and administering waterfowl, small game, and hog hunting opportunities on the property during the 2016-2017 and future hunting seasons in accordance with State and Federal regulations and with approval from the South Florida Water Management District (District). Information reported by the Commission and comments received by District staff from recreational groups indicate past hunting activities provided on this area have been well received and attended by the public.

19. Resolution No. 2016 - 0605 Authorize an amendment to Contract 4600002924 by entering into the one 2-year renewal option with Complete Services of South Florida, Inc. for Lock Tender Services, in an amount not-to-exceed \$3,742,352.83, for which \$1,517,300 is subject to Governing Board approval of the Fiscal Year 2016-2017 and Fiscal Year 2017-2018 budgets. (Field Operations & Land Management Division, staff contact, Karen Estock, ext. 6282)

**Summary:**

The South Florida Water Management District is responsible for the operation and maintenance of twelve total navigational boat locks. Six locks are located on the Kissimmee River Waterway from Lake Tohopekaliga to Lake Okeechobee. Six locks are located on the perimeter of Lake Okeechobee and provide boating access for local, winter residence, and business interests.

Staff reviewed the contract with Complete Services of South Florida, Inc. for reasonable cost and work to determine if this work could be accomplished by District staff. It was determined that contract costs were reasonable and additional District staff would need to be hired if a contract was not in place. It is the best business and fiscal decision to enter into the contract's 2-year renewal option.

20. Resolution No. 2016 - 0606 Authorize entering into a Purchase Order with Software House International Corporation for a Pega 7 Platform software license, three years of maintenance, and implementation services, using the State of Florida Commercial Off-The-Shelf Contract No. 43230000-14-01, in the amount of \$916,537 of which \$757,675 is budgeted in Fiscal Year 2015 - 2016 and the remainder is subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget. (Information Technology, staff contact, Duane Piper, ext. 2638)

**Summary:**

The District's Regulatory System is over twenty years old, costly to maintain, expensive to upgrade, and nearing end-of-life. The Regulatory System supports permitting and compliance processes for Environmental Resource, Consumptive Water Use, and Works of the District. These business processes include processing applications, permits, transfers, and compliance monitoring. Over the past year these processes were evaluated and optimizations were identified to allow for a quicker response to regulatory changes, consistent business processes across all bureaus, automation of several manual tasks, end to end paperless process and significant reduction in duplicate functionality as well as data. The recommendation is to purchase a business process management software product to replace the legacy Regulatory System. The replacement project will have phased releases over a three year period. This request is to purchase a Pega 7 Platform software license \$378,244, three years of maintenance \$238,293, and implementation services \$300,000 in the total amount of \$916,537. The software and services will be procured from Software House International Corporation using State of Florida Commercial Off-The-Shelf Contract No. 4230000-14-01.

21. Resolution No. 2016 - 0607 Approve a Purchase Order with The Ashvins Group, Inc., for a Project Manager to support the SCADA System Replacement, for the time period August 1, 2016 through September 30, 2017, using the State of Florida Contract No. 973-561-10-1, in the amount of \$224,200 of which \$33,440 is budgeted in Fiscal Year 2015 – 2016 and the remainder is subject to Governing Board approval of the Fiscal Year 2016 - 2017 budget. (Information Technology, staff contact, Duane Piper, ext. 2638)

**Summary:**

This is a request to continue the services of a Project Manager contractor supporting the SCADA System Replacement for the time period August 1, 2016 - September 30, 2017 in the amount of \$224,200. These services will be procured from The Ashvins Group, Inc. using the State of Florida Contract No. 973-561-10-1.

22. Adopt amendments to Rules 40E-1.021, 40E-1.607, 40E-1.6107, 40E-1.615, 40E-1.659, 40E-1.702, 40E-41.023, 40E-41.063, 40E-41.121, 40E-41.123, 40E-41.160, 40E-41.321, 40E-41.323, and 40E-41.363, F.A.C., to address comments from the Joint Administrative Procedures Committee (JAPC), and make other minor changes. (Regulation, staff contact, Jill S. Creech, P.E., ext. 6814)

**Summary:**

The District is proposing to amend its general/procedural rules in Chapter 40E-1, F.A.C., and its environmental resource permit rules in Chapter 40E-41, F.A.C., to address

comments from the Joint Administrative Procedures Committee, and make other minor changes.

- 23. Board Vote on Consent Agenda
- 24. Board Comment

## **Discussion Agenda**

- 25. Flood Awareness Month - Karen Estock, Division Director, Field Operations & Land Management (ext. 6282)
- 26. Technical Reports
  - A) Water Conditions Report - John P. Mitnik, Division Director, Operations, Engineering & Construction (ext. 2679)
  - B) Ecological Conditions Report - Terrie Bates, Division Director, Water Resources (ext. 6952)
  - C) Project Spotlight - C-43 Project - John P. Mitnik, Division Director, Operations, Engineering & Construction (ext. 2679)
- 27. 2017 Lower West Coast Water Supply Plan Update Status - Dean Powell, Bureau Chief, Water Supply (ext. 6787)

### **Summary:**

The District is preparing to initiate the 5-year update to the Lower West Coast (LWC) Water Supply Plan. Regional water supply plans are required to be updated at least every five years pursuant to Chapter 373, Florida Statutes. The LWC Planning Region includes all of Lee County, most of Collier County and portions of Hendry, Glades, Charlotte and mainland Monroe counties. The last water supply plan for the LWC Planning Region was approved in November 2012.

- 28. Lower West Coast Watershed Initiatives - Steve Sentes, Lead Regulatory Professional, Everglades Policy & Coordination, (ext. 7754)

### **Summary:**

The South Florida Water Management District provides support to local governments, special districts, stormwater utilities, water users and other public and private organizations for projects consistent with the agency's core mission. The District's coordination of interagency working teams provides an opportunity for discussion of local ecosystem restoration projects and identification of cost-effective opportunities to deliver regional benefits. The interagency working teams leverage multi-jurisdictional resources in order to implement ecosystem restoration projects on both local and regional scales that benefit the Lower West Coast. This presentation will focus on environmental restoration progress-to-date by initiatives including Charlotte Harbor Flatwoods, Lehigh Headwaters, North Six Mile Cypress and the Caloosahatchee Corridor.

- 29. Lake Okeechobee Watershed Project - Matt Morrison, Federal Policy Chief, Everglades Policy & Coordination (ext. 6844)

### **Summary:**



Consistent with the Governor's 20-Year Plan and as identified in the Integrated Delivery Schedule, the South Florida Water Management District intends to initiate project planning with the U.S. Army Corps of Engineers on the Lake Okeechobee Watershed Project. This planning effort is currently scheduled to commence in July 2016. It will employ the expedited three year planning process, in contrast to the extended planning periods of the past. The primary objectives of the Lake Okeechobee Watershed Project are to identify water storage features in the northern watershed to better manage Lake Okeechobee water levels, reduce undesirable freshwater discharges to the Caloosahatchee and St. Lucie estuaries and provide operational flexibility throughout the system.

30. Update on High Water Emergency Operations, After-Action Report & South Dade Investigations

- A) Water Operations - John P. Mitnik, Division Director, Operations, Engineering & Construction (ext. 2679)
- B) Water Quality & After-Action Report - Terrie Bates, Division Director, Water Resources (ext. 6952)
- C) South Dade Study - Brenda Mills, Principal Scientist, Everglades Policy & Coordination, (ext. 6536)

**Summary:**

Staff will provide an overview of the water operations and field construction activities implemented pursuant to the Governor's Emergency Order to reduce stages in Water Conservation Area 3A and manage associated effects on the South Dade system. Water quality discharges remained well below the phosphorus limit for both Shark River Slough and Taylor Slough. The event water quality and quantity data will be summarized in an After-Action Report and submitted to the Department of Environmental Protection. Staff will also provide an update on water management options identified through the South Dade Investigation process.

31. District Land Leases

- A) Resolution No. 2016 - 0608 Approve a 3-year cattle grazing lease extension on the Lease Agreement with C-2 Ranch, Inc., Lessee (John A. and Kim C. Collier, prior owners), on 895.14 acres, more or less, in Glades County. (Contract No. LS050770) (Real Estate, staff contact, Ray Palmer, ext. 2246)

**Summary:**

The District owns certain real property located in Glades County, Florida, known as Paradise Run, Encumbrance ID 3910E-028, Tract number 39105-024. The specific property is located within the footprint of the Lake Okeechobee Watershed Project. The District acquired the Property for the Lake Okeechobee Watershed Water Quality Treatment Facilities Component to promote water quality and is not yet ready to begin construction of the project. The District desires to continue the lease on the 895.14 acre property for cattle grazing.

- B) Resolution No. 2016 - 0609 Approve a 3-year cattle grazing lease extension on the Lease Agreement with Byron and Janet P. Storey on 559 acres, more or less, in Glades County. (Contract No. LS050771) (Real Estate, staff contact, Ray Palmer, ext. 2246)

**Summary:**

The District owns certain real property located in Glades County, known as Paradise Run, Encumbrance ID 3910E-029, Tract number 39105-022. The specific property is located within the footprint of the Lake Okeechobee Watershed Project. The District acquired the Property for the Lake Okeechobee Watershed Water Quality Treatment Facilities Component to promote water quality and is not yet ready to begin construction of the project. The District desires to continue the lease on the 559 acre property for cattle grazing.

32. Approve Land Acquisitions for Miami-Dade County Projects - Richard Bassell, Division Director, Real Estate (ext. 2510)

A) C-4 Canal Project Land Acquisition - Resolution No. 2016 - 0610

Approve the acquisition of fee simple title and canal easements at the combined approved appraised value of \$81,300, covering 0.89 acres, more or less, in Section 3, Township 54 South, Range 40 East, Miami-Dade County, C-4 (Tamiami Canal), and authorize eminent domain proceedings in the event negotiations fail.

**Summary:**

The District is currently making improvements to the C-4 right of way under a current construction project known as the C-4 Canal Bank Improvements and Flood Berm Project. The District must acquire additional rights in twelve tracts within the project footprint. Pursuant to Chapters 73 and 74, Florida Statutes, the District is required to make bona fide first offers to the owners of the Tracts within the Project. It will be necessary to initiate eminent domain proceedings for those tracts that cannot be acquired through a negotiated purchase agreement.

B) C-111 South Dade Project Land Acquisition - Resolution No. 2016 - 0611

Approve the acquisition of 511.14 acres, more or less, at the appraised per acre value, in Section 16, Township 58 South, Range 38 East, Section 13, Township 59 South, Range 38 East, and Sections 5 and 8, Township 59 South, Range 39 East, Miami-Dade County, C-111 South Dade Project, Southern Glades component, and authorize eminent domain proceedings in the event negotiations fail.

**Summary:**

The District, as local sponsor for the US Army Corps of Engineers has agreed to acquire 511.14 acres more or less, located within the Southern Glades component of the C-111 South Dade Project ("Project"), pursuant to the Project Cooperation Agreement (PCA) regarding the Project on January 13, 1995, as amended on August 14, 2014. Pursuant to Chapters 73 and 74, Florida Statutes, the District is required to make bona fide first offers to the owners of the Tracts within the Project. It will be necessary to initiate eminent domain proceedings for those Tracts that cannot be acquired through a negotiated purchase agreement, since the District is required by the terms and conditions of the PCA to acquire the needed Project lands.

- C) C-111 South Dade Project Land Acquisition Funding - Resolution No. 2016 - 0612 Request the release of funds in the amount of \$2,590,260 and associated costs from the Save Our Everglades Trust Fund by the Department of Environmental Protection for the acquisition of land interests containing 511.14 acres, more or less, for the purchase of eighty-three (83) tracts in the C-111 South Dade Project, Southern Glades component, Miami-Dade County.

**Summary:**

As local sponsor for the U. S. Army Corps of Engineers, the District is actively acquiring lands in the Southern Glades component of the C-111 South Dade Project. Funding for these transactions will be obtained from the Save Our Everglades Trust Fund (SOETF). As a requirement of Section 373.139(3)(c), the District must adopt a resolution to the Department of Environmental Protection formally requesting SOETF funds.

33. Resolution No. 2016 - 0613 Authorize entering into a 199-day change order with Great Lakes Dredge and Dock Company, LLC, for the RS-G341 Conveyance Improvements, Phase I: Bolles East (L-16) Canal Conveyance Improvement Project – Segment 2, in the amount of \$3,398,478, for which \$1,000,000 in the Save Our Everglades Trust Fund and Land Acquisition Trust Fund are budgeted in Fiscal Year 2015-2016, and the remainder is subject to Governing Board approval of the Fiscal Year 2016-2017 budget. (Contract No. 4600003291-CO02) (Operations, Engineering and Construction, staff contact, John P. Mitnik, ext. 2679)

**Summary:**

The Bolles East Canal provides a link between the Hillsboro and the North New River canals. It currently serves adjacent agricultural landowners by supplying irrigation water and drainage. This canal has limited hydraulic capacity due to its shallow depth. The objective of this Project is to improve the conveyance abilities of the Bolles East Canal. The new cross section will have a bottom width of 50 feet and an elevation of -2.0' NAVD. Segment 2 begins adjacent to the Duda Bridge and runs approximately 1.1 miles to the west.

Capacity improvement will help reduce flooding in the adjacent farmlands and improve their water supply for irrigation. It will also provide the District with additional operational flexibility, providing a means to move stormwater east and west within the Everglades Agricultural Area and thus improve the efficiency of the STAs and help the District achieve its water quality goals associated with Restoration Strategies.

34. General Public Comment

**Staff Reports**

35. Monthly Financial Report - Dorothy Bradshaw  
36. General Counsel's Report - Brian Accardo  
37. Executive Director's Report - Peter Antonacci  
38. Board Comment

**Attorney Client Session**

39. Attorney Client Session

Attorney client session pursuant to Section 286.011(8), Florida Statutes (2015), to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of America v. South Florida Water Management District, et al., United States District Court, S. Dist. of Florida, Case No. 88-1886-CIV-Moreno.

ATTENDEES: Governing Board Members S. Accursio, F. Barber, S. Batchelor, C. Harlow, M. Hutchcraft, J. Moran, D. O'Keefe, M. Peterson, K. Powers; Executive Director P. Antonacci; District attorneys B. Accardo, K. Burns, C. Kowalsky, J. Nutt. (Brian J. Accardo, ext. 6232)

**Action Items, (if any), Stemming from Attorney/Client Session**

40. Adjourn

*Members of the public wishing to address the Governing Board on agenda items that require a vote are to complete a Public Comment Card and submit the card to the front desk attendant. You will be called by the Board Chairman or designee to speak. Governing Board policy limits comments from the public to 3 minutes unless otherwise determined by the Governing Board Chairman. Your comments will be considered by the Governing Board prior to adoption of the Consent Agenda. Unless otherwise determined by the Chairman, Board action on Consent Agenda items moved to the discussion agenda will occur at or after 9:00 a.m. on Thursday.*